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REMARKS

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Status of the claims. Claims 1-12 are in the application. Claims 1-9, 11 and 12 were rejected. Original claims 1-8, 11 and 12 were presented again. Claim 9 was previously amended. Claim 10 stands as objected to only as depending from a rejected 10 claim, and is deemed by Examiner to be allowable if rewritten independently.

Section 103 rejection of claims 1 over Margulies et al.
4,294,361 in view of Price 5,339,960. Examiner has continued 15 the 103 rejection of claim 1 over Margulies-Price. But reconsideration of this theory of rejection by Examiner is requested for the reasons evident as we here give and would emphasize in the interview.

20 It seems to Applicant from the Office action of 26 June 2006 that the Examiner may see the "characterised" clause of claim 1 as being too broad, and although the situation is not fully clear, Applicant is led to inquire whether Examiner feels the present claim 1 would cover the situation where the lug 25 portions are bent at some point in time after cover film has been applied to the tray and secured. Thus, is it possible that Examiner thinks then that Margulies becomes relevant when the second cavity is inverted to force the lug portion out of the plane of the remainder of the cover film? Applicant observes 30 that it is beyond doubt that Margulies only has "upwardly extending projections" because of the manual inversion of the

second cavities after the cover film has been applied and when the contents of one of the first cavities must be dispensed. The idea of bending the lug portions when the cover film is applied is necessarily beyond the Margulies patent and entirely 5 contradictory to Margulies because of the emphasis in that patent reference on making the blister strip child-resistant. This surely teaches directly away from making the lug portions easy to grasp, as Applicant's claimed construction provides. It seems true from Figure 3 of Margulies that Margulies tray 10 has 10 an upwardly extending protrusion 18 to bend lug 22 upwardly out of the plane of cover film 14 but only when an adjacent cavity is inverted as therein shown.

As will be discussed, proposed claim not only characterizes 15 the invention in a way that defines over Margulies-Price by defining features unsuggested by Margulies. It also has incidental amendments prior to the characterizing clause, and not related to the cited art, to clarify the language and make it more readily understood by avoiding uncertainty.

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We hope that Examiner will favorably reconsider claim 1, and will discuss the matter during brief telephone interview. If Examiner would kindly call Peter Gilster, the undersigned, at 314-345-4741 direct or indicate by message that the matter can be 25 discussed, we will surely appreciate, and the undersigned will keep the case at hand. If Examiner can't conveniently call, the undersigned will call Examiner at 571-272-4560 during the examiner's business hours 11:30a-8:00p, and preferable on August 8 at 12 noon EDST.

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In advance, the courtesy of an interview is appreciated.

Respectfully submitted,

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Date: 2 Aug. 2006

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Attachment(s) :

Form PTOL-413A

Transmittal with Certification of Fax Transmittal


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